

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/585,207	01/11/96	SANGER	J SJS-100-A

34M1/1023

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EXAMINER	
TAPOLCAI, W	
ART UNIT	PAPER NUMBER
3404	

DATE MAILED: 10/23/96

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Office Action Summary	Application No. 08/585,207	Applicant(s) Sanger
	Examiner William E. Tapolcai	Group Art Unit 3404

Responsive to communication(s) filed on _____

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 1-8 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1, 2, and 4-8 is/are rejected.

Claim(s) 3 is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 3404

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 2, and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs in view of the British patent '158. Jacobs discloses the claimed invention except for the stator having an array of stator buckets. The British patent '158 teaches a fluid friction heater having a stator C and a rotor B. Both the stator and rotor have arrays of buckets as seen in Fig. 3. It would be obvious to provide the stator of Jacobs with an array of stator buckets instead of the single chamber 56, 58, in view of the British patent '158, for the purpose of increasing the friction effect and the heat generated thereby. The provision of an inlet valve is a matter of obvious choice to one skilled in the art, as it is well known to provide valves per se for controlling fluid flow into and out of devices.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs in view of the British patent '158 as applied to claim 1 above, and further in view of Stahlberg. Jacobs discloses the claimed invention except for the bypass line. Stahlberg teaches a bypass line L5 for a heater. It would be obvious to provide Jacobs with a bypass line, in view of Stahlberg, for the purpose of bypassing the friction heater whenever needed or desired.

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4. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Tapolcai whose telephone number is (703) 308-0. Fax transmissions should be made via the fax number (703) 308-7763.

wet

October 17, 1996

WET
William E. Tapolcai
Primary Examiner
Art Unit 344